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SENATE BILL 499

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Gerald P. Ortiz y Pino

AN ACT

RELATING TO EXECUTIVE REORGANIZATION; CREATING THE OFFICE OF  
PEACE; PROVIDING POWERS AND DUTIES; CREATING THE CITIZENS PEACE  
ADVISORY COUNCIL; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE.--This act may be cited as the  
"Office of Peace Act".

Section 2. PURPOSE.--The purpose of the Office of Peace  
Act is to establish an office dedicated to peacemaking, justice  
and human rights; training that will enable the prevention,  
management and resolution of conflict without violence; and the  
study and implementation of conditions that are conducive to a  
culture of peace.

Section 3. DEFINITIONS.--As used in the Office of Peace  
Act:

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1           A. "council" means the citizens peace advisory  
2 council;

3           B. "dialogue" means a facilitated process of a  
4 group of people taking turns talking and listening to each  
5 other to allow an exchange of diverse ideas, opinions and  
6 experiences and to foster greater understanding between people;

7           C. "director" means the director of the office of  
8 peace; and

9           D. "office" means the office of peace.

10           Section 4. OFFICE ESTABLISHED.--The "office of peace" is  
11 created. The office shall be administratively attached to the  
12 department of finance and administration. For purposes of this  
13 section, the term "administratively attached" has the meaning  
14 specified in Section 9-1-7 NMSA 1978.

15           Section 5. DIRECTOR--APPOINTMENT.--

16           A. The administrative head of the office is the  
17 "director of the office of peace", who shall be appointed by  
18 the governor with the consent of the senate.

19           B. The director shall be an administrator who has  
20 successful administrative experience and no fewer than eighty  
21 hours of training in alternative dispute resolution, mediation  
22 and dialogue and at least one year of experience in applying  
23 these skills in a community setting or equivalent life  
24 experience.

25           C. The director shall serve and have all the

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1 duties, responsibilities and authority of the office during the  
2 time prior to final action by the senate confirming or  
3 rejecting the appointment.

4 Section 6. DIRECTOR--DUTIES.--

5 A. The director is responsible to the governor for  
6 the operation of the office. The director shall manage all  
7 operations of the office. The director shall employ  
8 professional and clerical assistance, contractors and general  
9 counsel as deemed necessary and oversee staff performance,  
10 setting priorities within time and budget constraints. The  
11 director shall apply the resources and skills of the office to  
12 the following areas: prevention, management and resolution of  
13 conflict; public education on peace and nonviolence; the study  
14 and promotion of social, environmental and economic conditions  
15 that create a culture of peace; and public information.

16 B. In regard to the prevention, management and  
17 resolution of conflict, the director shall:

18 (1) organize and participate in public  
19 dialogues throughout the state, providing a diplomatic method  
20 for addressing controversial issues and conflicts;

21 (2) analyze and build upon existing policies  
22 and programs and develop new approaches and encourage  
23 innovation, in collaboration and coordination with established  
24 institutional and agency efforts and nongovernmental  
25 organizations, including alternative dispute resolution

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1 centers, statewide peace studies programs, statewide peace and  
2 justice centers and public school peer mediation programs, for  
3 preventing, managing and resolving social conflict, including:

4 (a) spouse abuse, child abuse and  
5 mistreatment of the elderly;

6 (b) crime, punishment, rehabilitation  
7 and pursuit of restorative justice;

8 (c) school and gang violence;

9 (d) hate crimes, such as racial and  
10 ethnic violence and violence based on sexual orientation;

11 (e) disputes between the police and  
12 community members;

13 (f) natural resource disputes within and  
14 between communities; and

15 (g) disputes within and between  
16 government agencies; and

17 (3) assist in establishing community-based  
18 violence prevention programs, including violence prevention  
19 counseling and peer mediation and dialogues in schools, and  
20 peaceful settlement programs for police and other public safety  
21 officers.

22 C. In regard to public education on peace and  
23 nonviolence, the director shall:

24 (1) develop a peace education curriculum,  
25 which shall include the study of:

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1 (a) the constitutions of the United  
2 States and New Mexico and the Universal Declaration of Human  
3 Rights adopted by the general assembly of the United Nations in  
4 1948 to develop understanding as to how these documents serve  
5 the interests of peace;

6 (b) historical advancements in the  
7 peace, civil, social justice and human rights movements in the  
8 United States and throughout the world, with special emphasis  
9 on how individual and group commitment to nonviolence has  
10 contributed to advancements in the interests of peace and  
11 justice; and

12 (c) peace agreements and circumstances  
13 in which peaceful intervention has succeeded in stopping  
14 conflict;

15 (2) cooperate with the secretary of public  
16 education and superintendents of New Mexico public school  
17 districts to develop and make available curricula and  
18 supporting materials for use in school districts to facilitate  
19 instruction in peaceful conflict resolution, peace awareness  
20 and other peace objectives at public schools or any combination  
21 of public schools in a school district;

22 (3) help integrate the peace education  
23 curriculum into the training programs for new and experienced  
24 teachers and recommend peace studies courses as part of teacher  
25 education in New Mexico; and

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1 (4) provide peace education grants for the  
2 creation and expansion of peace studies and programs and  
3 practice at all educational levels.

4 D. In regard to the study and promotion of social,  
5 environmental and economic conditions that create a culture of  
6 peace, the director shall:

7 (1) promote counseling and community support  
8 on behalf of victims of violence and for family members of  
9 perpetrators of violence;

10 (2) develop and support community-based  
11 strategies for celebrating diversity to promote tolerance and  
12 understanding among the diverse people in New Mexico and to  
13 help reduce racial and class tension;

14 (3) create a community peace block grant  
15 program to provide grants to nonviolent conflict resolution  
16 programs and local nongovernmental peace-building initiatives;  
17 and

18 (4) study and promote a sustainable, life-  
19 affirming economy that puts people and justice first, as an  
20 essential avenue to peace and security, including:

21 (a) offering nonviolent conflict  
22 resolution strategies on issues that threaten community well-  
23 being and security and disputes concerning wise use of water  
24 and other natural resources and protection of the environment;

25 (b) promoting renewable, sustainable

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1 technologies; and

2 (c) encouraging the conservation and  
3 restoration of natural resources to prevent future conflicts  
4 stemming from resource scarcity and environmental  
5 contamination.

6 E. In regard to public information, the director  
7 shall:

8 (1) gather information on effective community  
9 peace-building activities and disseminate the information;

10 (2) make studies available to the public that  
11 address the role of the media as it affects the escalation or  
12 recession of conflict;

13 (3) publish information on the activities of  
14 the office and encourage scholarly participation; and

15 (4) sponsor and organize conferences to create  
16 awareness of the office's findings and promote a forum for  
17 discussing peace issues and studies and exploring the meaning  
18 and practice of peace in the lives of New Mexicans.

19 Section 7. COUNCIL--CREATION--MEMBERS--RESPONSIBILITIES--  
20 COMPENSATION.--

21 A. The "citizens peace advisory council" is created  
22 and shall be composed of the director and ten appointed members  
23 as follows, who reflect the multicultural, gender, economic,  
24 geographic and political diversity of the people of New Mexico:

25 (1) one representative from an established

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1 peace advocacy organization, appointed by the director;

2 (2) one representative from a religious or  
3 spiritual organization, appointed by the New Mexico faith  
4 community;

5 (3) one representative from a local, county or  
6 state law enforcement agency, appointed by the secretary of  
7 public safety;

8 (4) one health professional with expertise in  
9 behavioral and public health issues, appointed by the secretary  
10 of health;

11 (5) one representative from an environmental  
12 and energy conservation organization with expertise in  
13 renewable energy use, appointed by the secretary of  
14 environment;

15 (6) one veteran who has served in an armed  
16 conflict, appointed by the secretary of veterans' services;

17 (7) one public school educator, appointed by  
18 the secretary of public education;

19 (8) one representative affiliated with the  
20 arts, appointed by the chair of the New Mexico arts commission;

21 (9) one youth representative, between the ages  
22 of fifteen and twenty-four years, appointed by the lieutenant  
23 governor; and

24 (10) one member appointed by the secretary of  
25 Indian affairs.

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1           B. The term of service of appointed council members  
2 shall be four years. The initial terms shall be staggered.  
3 The terms of five members shall expire at the end of the  
4 initial two years, and the terms of five members shall expire  
5 at the end of the initial four years. The initial terms shall  
6 be selected by random drawing. An appointed citizen member of  
7 the council shall not serve more than two full terms. In the  
8 event of a vacancy on the council, a new member shall be  
9 appointed by the original appointing authority for the  
10 unexpired term.

11           C. The council shall select a chair, a vice chair  
12 and other officers as it deems necessary.

13           D. The council shall meet no less than twice  
14 annually and may meet more frequently upon the call of the  
15 chair. The council shall:

16                   (1) use the dialogue process in its  
17 interactions with each other and the staff;

18                   (2) provide assistance and make  
19 recommendations to the director and the governor concerning  
20 policies and practices relating to state peace activities;

21                   (3) annually, assess peace activities in the  
22 state and submit a report to the director and the governor  
23 reviewing the impact of state peace activities on governmental  
24 entities and communities; and

25                   (4) publicize and allot time to receive and

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1 report citizen input at regular council meetings, maintaining a  
2 grassroots connection with the citizens of New Mexico.

3 E. Council members shall receive per diem and  
4 mileage as provided for nonsalaried public officers in the Per  
5 Diem and Mileage Act and shall receive no other compensation,  
6 perquisite or allowance.

7 Section 8. OFFICE LOGO.--The official logo of the office  
8 of peace is an ancient universal symbol most recently  
9 copyrighted in 1935 by artist Nicholas Roerich to symbolize an  
10 international pact for the preservation of culture during times  
11 of violent conflict. The Roerich museum in New York city has  
12 granted permission to any state creating a department or office  
13 of peace the right to use this symbol. The office shall use  
14 this logo on appropriate correspondence and publications.

15 Section 9. APPROPRIATION.--Four hundred ninety-three  
16 thousand six hundred dollars (\$493,600) is appropriated from  
17 the general fund to the office of peace for expenditure in  
18 fiscal years 2008 and 2009 to carry out the provisions of the  
19 Office of Peace Act. Any unexpended or unencumbered balance  
20 remaining at the end of fiscal year 2009 shall not revert to  
21 the general fund.

22 Section 10. EFFECTIVE DATE.--The effective date of the  
23 provisions of this act is July 1, 2007.